IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 4TH SEPTEMBER 2007 / 13TH BHADRA 1929

Bail Appl..No. 5302 of 2007()

CRIME NO.153/2007 OF KADAVANTHARA POLICE STATION IN ERNAKULAM

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: PETITIONERS/ACCUSED

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1. LENIN JOSEPH, S/O. JOSEPH,
   MAPALLASSERY HOUSE, ELAMKULAM, KOCHI-20.

2. PRAVEEN, S/O. LUIS,
   KAITHAKATHARA HOUSE, KADAVANTHRA KARA,
   KOCHI-2.

3. ROYAL JOHN, S/O. JOHN,
   PARAPPILLY HOUSE, KADAVANTHRA, KOCHI-20.

BY ADV. SRI.T.A.SHAJI
SRI.M.A.ASIF
SMT.T.V.NEEMA

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, (REPRESENTING THE STATION HOUSE
OFFICER, KADAVANTHARA POLICE STATION,
ERNAKULAM DISTRICT.)

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.5302 of 2007

Dated this the 4th day of September, 2007

ORDER

Application for regular bail. The petitioners are accused 1 to 3. Altogether there are 3 accused persons. The crime is registered under Sections 307 and 324 r/w 34 I.P.C. The alleged incident took place on 22.07.07. The petitioners continue in custody from 28.07.07.

2. An earlier application for regular bail filed by the petitioners was dismissed as per order dated 14.08.07. It was dismissed with the observation that the petitioners can move this Court for bail later - not at any rate, prior to 24.08.07. The petitioners had filed this application on 22.08.07. Be that as it may, since I am considering the B.A only today - 04.09.07 because of the intervening Onam Vacation, it is not necessary to go into that question in detail.

3. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied in the facts and circumstances of this case that the petitioners can now be enlarged on bail subject to appropriate terms and conditions.

4. In the result, this application is allowed. The petitioners shall be released on bail on the following terms and conditions.

i) The petitioners shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-